



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,540	02/21/2001	Shigeru Fujita	1484.1004	5606

21171 7590 03/15/2005

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

EL HADY, NABIL M

ART UNIT PAPER NUMBER

2154

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/788,540

Applicant(s)

FUJITA, SHIGERU

Examiner

Nabil M El-Hady

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2154

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/16/2004 has been entered.

2. Claims 1-9 are pending in this application. Claims 1-6 are currently amended, claims 7-8 are or previously presented. Claim 9 is new.

3. Figures 7-9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2154

Claim 4 recites the limitation " the server" in line 2. There is insufficient antecedent basis for this limitation in the claim.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-5, 7, and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (US 6,390,917), hereinafter "Walker".

8. As to claim 9, Walker discloses the invention substantially as claimed including a client/server system (Fig. 1) comprising: a client (SLOT MACHINE 14, 16, or 18, Fig. 1) comprising at least one I/O device (coin acceptor, col. 2, lines 1-2; or INTERACTIVE DISPLAY DEVICE 22, Fig. 1 and Fig. 6), and a programmed computer processor handling data communication (CPU, Fig. 6), including an I/O event from the at least one I/O device (receiving payment, col. 2, lines 1-3; or receiving player responses, col. 2, lines 27-30), via an I/O port

Art Unit: 2154

connected to the at least one I/O device (inherent in the connection between 22 and CPU in Fig. 6); and a server communicably connectable with the client (12, Fig. 1) and comprising a programmed computer processor handling data communication (CPU 30, Fig. 2), including directly controlling the at least one I/O device of the client (col. 2, lines 32-36; and col. 4, lines 36-51) and handling the I/O event from the at least one I/O device of the client (col. 2, lines 36-38), via a virtual I/O port in the server (36, Fig. 2) to the at least one I/O device of the client.

9. Walker's server controls what is displayed on the interactive display device as clearly disclosed (col. 2, lines 32-36; and col. 4, lines 36-51), however a display control subroutine 50 which resides in the client (50, Fig. 6) is responsible for enabling of the display of any a controlled message from the server, it is considered a device handler.

1. As to claim 1, the claim is rejected for similar reasons as claim 9 above. In addition, Walker discloses a client/server system comprising: a server (12, Fig. 1), comprising: software to generate operating instructions for an I/O device (col. 5, lines 15-17); a device driver to generate a control signal for the I/O device based on the operating instructions (col. 2, lines 32-36; col. 4, lines 36-51; and col. 5, lines 15-17); and a virtual I/O port (36, Fig. 2) to transmit the control signal and to receive an I/O event (coin acceptor, col. 2, lines 1-2; or INTERACTIVE DISPLAY DEVICE 22, Fig. 1 and Fig. 6); and a client (14, 16, 18, Fig. 1), comprising: a device handler (50, Fig. 6) to receive the control signal from the virtual I/O port, to control the I/O device that is coupled with the client based on the control signal (col. 5, lines 1-4), and to transmit the I/O event received from the I/O device to the virtual I/O port (col. 5, lines 4-11).

2. As to claims 2-5, the claims are rejected for similar reasons as claims 1 and 9 above.

Art Unit: 2154

3. As to claim 7, Walker discloses the client/server system, wherein the client and server communicate via a LAN (col. 1, lines 62-65).

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker .

4. As to claim 6, Walker does not specifically disclose a bar code reader as the I/O device. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that an I/O device may be any type of device that facilitates input from the user and output to the user. The concept of controlling such device from a server as disclosed by Walker is not limited to a display device and may be applied to any other I/O device. Moreover, both the concept and the advantages of utilizing a bar code reader as an I/O device is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Walker to include a bar code reader in order to enhance and make it easier for slot machine users to input/ output certain types of products to the system.

5. As to claim 8, Walker does not disclose the client and server communicate via the WWW. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that nothing in the design of Walker's system prevent that server 12 may

Art Unit: 2154

be connected to the slot machine s14, 16, and 18 via WWW according to what is known in the art at the time of the invention.

6. Applicant's arguments about claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hertling (US 6,757,741); Maniwa (US 5,933,584); Kimura et al. (US 6,292,849); Royal, Jr et al. (US 6,360,137) ; Hazenfield (US 5,991,374) ; and Lomas et al. (US 2002/0097421).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M El-Hady whose telephone number is (571) 272-3963. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2154

March 6, 2005

A handwritten signature in black ink, appearing to read "N. El-Hady". The signature is stylized with a large, sweeping "N" and a long, thin vertical stroke extending downwards from the end.

Nabil El-Hady, Ph.D., M.B.A.  
Primary Patent Examiner  
Art Unit 2154